EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

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H.E. German Gref
Minister
Ministry of Economic Development and Trade
of the Russian Federation

Dear Minister Gref:

I have the honor to acknowledge the receipt of your letter of this date which reads as follows:

"I have the honor to confirm the following understandings reached between the Government of the Russian Federation and the Government of the United States of America in connection with our bilateral negotiations on Russia's accession to the World Trade Organization:

1. The Russian Federation authorizes the Food Safety and Inspection Service of the U.S. Department of Agriculture (FSIS) to certify new and previously inspected but not certified slaughter, processing, and cold storage facilities based on Russia's requirements, to be included in the official list of facilities which are allowed to export poultry and poultry products and pork and pork products to the Russian Federation as from the date this letter is signed.

2. Newly certified facilities are the slaughter, processing, and cold storage facilities that intend to export their products to the Russian Federation, but that have not been inspected earlier to determine compliance with Russia's requirements.

3. Previously inspected but not certified facilities are slaughter, processing, and cold storage facilities that did not comply with Russia's requirements in a previous joint inspection; however after a subsequent FSIS inspection they were found to be in compliance with all of Russia's requirements.

4. Within five (5) working days after Russia receives the official FSIS notification of additional facilities that comply with Russia's requirements, the officials at the Federal Service for Veterinary and Phytosanitary Supervision (Rosselhoznadzor) shall include these facilities in the list of certified facilities permitted to export their products to the Russian Federation.

5. Within ten (10) days after the facilities are included into the list, the officials of the Rosselhoznadzor via the Rosselhoznadzor's territorial departments shall notify the veterinary inspectors at the check points at the State border of the Russian

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Federation on the additions to the list of the certified facilities, and at that point in time the facilities shall be eligible to export their products to the Russian Federation.

6. FSIS and Rosselhoznadzor shall conduct joint annual audits of the facilities in the following manner:
   - 6.1 up to 50 percent of the newly certified facilities (being chosen by Russia based on the results of consultation with FSIS); a facility is considered newly certified, if certified by FSIS after the last joint inspection;
   - 6.2 up to 100 percent of the facilities that at their most recent joint inspection did not comply with Russia's requirements;
   - 6.3 up to 10 – 15 percent of the facilities (being chosen by Russia in consultation with FSIS) not covered by 6.1 and 6.2.

If in the course of a joint audit, non-compliance with Russia's veterinary and Phytosanitary requirements is detected at a certified facility, that facility shall be excluded from the List of Certified Facilities until corrective action has been taken and confirmed effective by the FSIS inspector. FSIS will notify Rosselhoznadzor of the corrective action by letter. After review of the letter notifying the corrective action, Rosselhoznadzor will include the facility in the List of Certified Facilities pursuant to the procedures set out in points 4 and 5. The facility will be subject to the next joint inspection as set out in 6.2.

If a facility has been excluded from the List of Certified Facilities two consecutive times based on a joint audit, FSIS will conduct an investigation of the reasons which caused the non-compliance with Russia's Veterinary and Phytosanitary requirements and will inform Rosselhoznadzor of the results of the FSIS investigation.

I have the honor to request that you confirm, by letter in reply, that your government shares these understandings and have the further honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two governments."

I have the honor to confirm that my government shares these understandings and that your letter and this letter of confirmation in reply constitute an agreement between our two governments.

Please accept the assurances of my deepest respect.

Susan C. Schwab

Hanoi "19" November, 2006

Dear Ambassador Schwab!

I have the honor to confirm the following understandings reached between the Government of the Russian Federation and the Government of the United States of America in connection with our bilateral negotiations on Russia's accession to the World Trade Organization:

1. The Russian Federation authorizes the Food Safety and Inspection Service of the U.S. Department of Agriculture (FSIS) to certify new and previously inspected but not certified slaughter, processing and cold storage facilities based on Russia's requirements, to be included in the official List of facilities which are allowed to export poultry and poultry products and pork and pork products to the Russian Federation as from the date this letter is signed.

2. Newly certified facilities are the slaughter, processing, and cold storage facilities that intend to export their products to the Russian Federation, but that have not been inspected earlier to determine compliance with Russia's requirements.

3. Previously inspected but not certified facilities are slaughter, processing, and cold storage facilities that did not comply with Russia's requirements in a previous joint inspection; however after a subsequent FSIS inspection they were found to be in compliance with all of Russia's requirements.

Ambassador Susan C. Schwab
United States Trade Representative

4. Within five (5) working days after Russia receives the official FSIS notification of additional facilities that comply with Russia's requirements, the officials at the Federal Service for Veterinary and Phytosanitary Supervision (Rosselhoznadzor) shall include these facilities in the List of Certified Facilities permitted to export their products to the Russian Federation.

5. Within ten (10) days after the facilities are included into the List, the officials of the Rosselhoznadzor via the Rosselhoznadzor's territorial departments shall notify the veterinary inspectors at the check points at the State border of the Russian Federation on the additions to the list of the certified facilities, and at that point in time the facilities shall be eligible to export their products to the Russian Federation.

6. FSIS and Rosselhoznadzor shall conduct joint annual audits of the facilities in the following manner:

    6.1 up to 50 percent of the newly certified facilities (being chosen by Russia based on the results of consultation with FSIS); a facility is considered newly certified, if certified by FSIS since the last joint inspection;

    6.2 up to 100 percent of the facilities that at their most recent joint inspection did not comply with Russia's requirements;

    6.3 up to 10 – 15 percent of the facilities (being chosen by Russia based on the results of consultation with FSIS) not covered by 6.1 and 6.2.

If in the course of a joint audit, non-compliance with Russia's Veterinary and Phytosanitary requirements is detected at a certified facility, that facility shall be excluded from the List of Certified Facilities until corrective action has been taken and confirmed effective by the FSIS inspector. FSIS will notify Rosselhoznadzor of the corrective action by letter. After review of the letter notifying the corrective action, Rosselhoznadzor will include the facility in the List of Certified Facilities pursuant to the procedures set out in points 4 and 5. The facility will be subject to the next joint inspection as set out in 6.2.

If a facility has been excluded from the List of Certified Facilities two consecutive times based on a joint audit, FSIS will conduct an investigation of the reasons which caused the non-compliance with Russia's Veterinary and Phytosanitary requirements and will inform Rosselhoznadzor of the results of the FSIS investigation.

I have the honor to request that you confirm, by letter in reply, that your government shares these understandings and have the further honor to propose that this letter and your letter of confirmation in reply constitute an agreement between our two governments.

Please accept, dear Ambassador Schwab, the assurances of my deepest respect.

G.Gref
Minister